

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

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COMMERCE COMMISSION

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XO Illinois, Inc.)

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Petition for emergency relief to protect)

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Petitioner's 2003 Annual Report from)

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Disclosure for not less than five years)

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In order to protect highly proprietary)

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Information)

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Docket 04-

0297

**VERIFIED PETITION OF XO ILLINOIS, INC. FOR PROPRIETARY
TREATMENT OF ITS 2003 ANNUAL REPORT**

XO Illinois, Inc. ("XO"), by its attorneys, hereby petitions the Illinois Commerce Commission ("ICC") for emergency relief to protect Petitioner's Annual Report from disclosure for not less than five years in order to protect the Company's highly proprietary information contained therein. In support of its Petition, XO states as follows:

1. XO has licenses from this Commission to provide facilities based and resold local exchange service and interexchange service in Illinois.
2. XO is required to file its 2003 Annual Report with the ICC pursuant to 220 ILCS 5/5-109 of the Illinois Public Utilities Act.
3. XO's Annual Report contains highly proprietary and confidential commercial and financial information. The disclosure of said information to competitors or potential competitors would be detrimental to XO and provide an unfair advantage to XO's competitors.

4. The telecommunications industry is highly competitive, and it is imperative that the proprietary information contained in XO's 2003 Annual Report receive confidential treatment for at least five years following the issuance of an Order by this Commission.

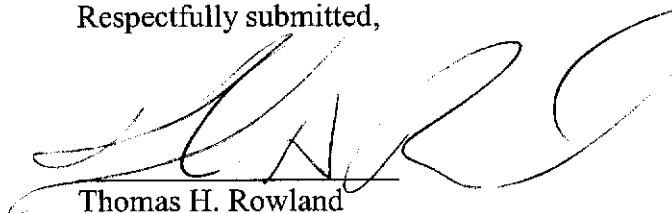
5. Section 7 of the Illinois Freedom of Information Act (5 ILCS 140/7(g)) exempts from public disclosure "trade secrets and commercial or financial information . . . where the trade secrets or information are proprietary, privileged or confidential." XO's 2003 Annual Report is protected by this exemption.

6. XO seeks an Order from this Commission, without hearing, protecting the entirety of XO's 2003 Annual Report from disclosure for a period not less than five years.

WHEREFORE, XO Illinois, Inc. respectfully requests that this Commission enter an Order, without hearing, protecting the entirety of XO's 2003 Annual Report from disclosure for a period not less than five years.

DATED: March 22, 2004

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'THOMAS H. ROWLAND', is written over a horizontal line.

Thomas H. Rowland
Rowland & Moore LLP
200 West Superior Street
Suite 400
Chicago, Illinois 60610

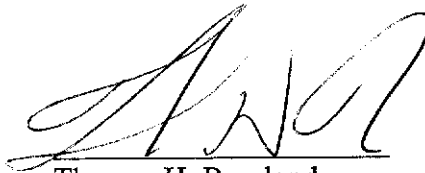
Counsel for XO Illinois, Inc.

STATE OF ILLINOIS)

COUNTY OF COOK)

Verification

I, Thomas H. Rowland, being first duly sworn, depose and state that I am counsel representing XO Illinois, Inc. and that I have read the foregoing Petition of XO Illinois, Inc. for Proprietary Treatment of its 2003 Annual Report and know the contents thereof and the statements therein contained are true, to the best of my knowledge, information and belief.



Thomas H. Rowland

Counsel for XO Illinois, Inc.

Subscribed and Sworn
to before me this 22nd
day of March 2004.

